

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CONSTRUCTION COST DATA, LLC, et al	§	
<i>Plaintiffs, Counterclaim Defendants</i>	§	
	§	
v.	§	
	§	
THE GORDIAN GROUP, INC., et al	§	C.A. 4:16-cv-00114
<i>Defendants, Counterclaim Plaintiffs</i>	§	
	§	
v.	§	
	§	
ALL COST DATA INFO, LLC, et al	§	
<i>Counterclaim Defendants</i>	§	

**PROPOSED JOINT PRETRIAL ORDER**

**I. APPEARANCE OF COUNSEL**

**A. Plaintiffs**

Attorneys for Plaintiffs, Construction Costs Data, LLC, Managed JOC Solutions, LLC,  
The Job Order Contract Group, LLC:

Teia Moore Kelly  
Texas Bar No. 24074752  
Mitch McFarland  
Texas Bar No. 13597700  
**MUNSCH HARDT KOPF & HARR, P.C.**  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
(713) 222-1470 (Telephone)  
(713) 222-1475 (Fax)  
Email: [tkelly@munsch.com](mailto:tkelly@munsch.com)  
Email: [mmcfarland@munsch.com](mailto:mmcfarland@munsch.com)

John H. Kim  
Texas Bar No. 00784393  
Timothy A. Rothberg  
Texas Bar No. 24060525  
**THE KIM LAW FIRM**  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
(713) 522-1177 (Telephone)  
(713) 809-6793 (Fax)

Email: [hjk@thekimlawfirm.com](mailto:hjk@thekimlawfirm.com)

Email: [tim@thekimlawfirm.com](mailto:tim@thekimlawfirm.com)

**B. Defendants and Counterclaim Plaintiffs**

Attorneys for Defendants and Counterclaim Plaintiffs, The Gordian Group, Inc. and R.S. Means Company, LLC:

John D.S. Gilmour  
TX Bar No. 24012700  
**KELLEY DRYE & WARREN LLP**  
515 Post Oak Boulevard, Suite 900  
Houston, TX 77027  
(713) 355-5005 (Direct)  
(713) 355-5001 (Fax)  
Email: [jgilmour@kelleydrye.com](mailto:jgilmour@kelleydrye.com)

Jeffrey A. Cohen  
Eric R. Clendening  
S.D. Tex. Bar No. - Pro Hac Vice Admitted  
**FLASTER/GREENBERG**  
Commerce Center  
1810 Chapel Avenue West  
Cherry Hill, NJ 08002-4609  
(856) 661-1900 (Direct)  
(856) 661-1919 (Fax)  
Email: [jeff.cohen@flastergreenberg.com](mailto:jeff.cohen@flastergreenberg.com)  
Email: [eric.clendening@flastergreenberg.com](mailto:eric.clendening@flastergreenberg.com)

**C. Counterclaim Defendants**

Attorneys for Counterclaim Defendants, Construction Costs Data, LLC, Managed JOC Solutions, LLC, The Job Order Contract Group, LLC; and Mark Powell:

Teia Moore Kelly  
Texas Bar No. 24074752  
Mitch McFarland  
Texas Bar No. 13597700  
**MUNSCH HARDT KOPF & HARR, P.C.**  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
(713) 222-1470 (Telephone)  
(713) 222-1475 (Fax)  
Email: [tkelly@munsch.com](mailto:tkelly@munsch.com)  
Email: [mmcfarland@munsch.com](mailto:mmcfarland@munsch.com)

John H. Kim  
Texas Bar No. 00784393  
Timothy A. Rothberg  
Texas Bar No. 24060525  
**THE KIM LAW FIRM**  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
(713) 522-1177 (Telephone)  
(713) 809-6793 (Fax)  
Email: [hjk@thekimlawfirm.com](mailto:hjk@thekimlawfirm.com)  
Email: [tim@thekimlawfirm.com](mailto:tim@thekimlawfirm.com)

Attorney for Counterclaim Defendant, Benjamin Stack:

Pete T. Patterson  
Texas Bar No. 15603580  
**PATTERSON PC**  
4309 Yoakum Blvd., Suite 2000  
Houston, TX 77006  
(713) 874-6444 (Telephone)  
(713) 874-6445 (Fax)  
Email: [pete@pyllp.com](mailto:pete@pyllp.com)

## II. JURISDICTION

The Court has subject matter jurisdiction based upon diversity jurisdiction pursuant to 28 U.S.C. § 1332. Jurisdiction is not disputed.

## III. MOTIONS

There are no pending motions before the Court.

## IV. CLAIMS AND COUNTERCLAIMS

### A. Plaintiffs' Claims

- Tortious Interference with Existing Contract
- Tortious Interference with Commercial Relationship
- Monopolization: Violation Of Texas Antitrust Act - Violation of TEX. BUS. & COMM. CODE ANN. § 15.05.
- Attempted Monopolization: Violation Of Texas Antitrust Act - Violation of TEX. BUS. & COMM. CODE ANN. § 15.05.
- Business Disparagement

**B. Defendants' Counterclaims**

- Copyright Infringement in Violation Of The Copyright Act [17 U.S.C. § 501]
- Unfair Competition
- Unjust Enrichment

**V. TRIAL EXHIBITS**

**A. Trial Exhibit Lists**

**1. Plaintiffs and Counterclaim Defendants**

Plaintiffs and Counterclaim Defendants' Trial Exhibit List is attached as Exhibit A.

**2. Defendants**

Defendants and Counterclaim Plaintiffs' Trial Exhibit List is attached as Exhibit B.

**B. Objections to Trial Exhibits**

The Parties have agreed that the specific objection and authority in support for each exhibit objected to in the lists below shall be filed pursuant with the Court pursuant to Judge Ellison's Court Procedure Rule 12.C. on or before Wednesday January 9, 2018.

**1. Plaintiffs and Counterclaim Defendants**

Plaintiffs and Counterclaim Defendants object to the following exhibits listed on Defendants' Exhibit list attached hereto as Exhibit B:

Exhibits: D-5; D-12, D-14; D-15; D-17; D-19; D-20; D-24; D-25; D-27; D-28; D-31; D-33; D-34; D-35; D-36; D-39; D-40; D-41; D-42; D-46; D-50; D-51; D-52; D-55; and D-56.

**2. Defendants and Counterclaim Plaintiffs**

Defendants and Counterclaim Plaintiffs object to the following exhibits listed on Plaintiffs and Counterclaim Defendants' Exhibit list attached as Exhibit A:

Exhibits P-25, P-32, P-47, P-110, P-111, P-199, P-200, P-204, P-205, P-206, P-207, P-208, P-209, P-210, P-211, P-212, P-213, P-214.

## **VI. WITNESSES**

### **A. Plaintiffs and Counterclaim Defendants' Witness List**

Plaintiffs and Counterclaim Defendants reserve the right to call any custodian(s) of records or other similar witness(es) required for authentication of documents, records or other exhibits. Plaintiffs and Counterclaim Defendants also reserve the right to call any witness called to testify or otherwise listed or identified by any other party to this litigation, whether expert witness, custodian of records, or otherwise.

#### **1. Trial Witnesses**

**a. Mark Powell, Counterclaim Defendant**

c/o Teia Moore Kelly  
Munsch Hardt Kopf & Harr, PC  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**b. Benjamin Stack, Counterclaim Defendant and Non-Retained Expert**

c/o Pete Patterson  
Patterson PC  
4309 Yoakum Blvd. Suite 2000  
Houston, TX 77006  
Tel: (713) 874-6444

**c. Robert Mewis, Director of Engineering at R.S. Means**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**d. Scott Smith, Vice President of Sales at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**e. William Pollak, Chief Executive Officer at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**f. Rodney W. Sowards, Retained Expert Witness**

Veritas Advisory Group  
c/o Teia Moore Kelly  
Munsch Hardt Kopf & Harr, PC  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**2. Potential Trial Witnesses**

**a. Peter Cholakis**

30 Twin Island Road  
Hopkinton, MA 01748  
c/o Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**b. Michael Brown**

c/o Jason McNeill, Esq.  
McNeill Von Maack  
175 South Main Street, Suite 1050  
Salt Lake City, Utah 84111  
Tel: (801) 823-6465

**c. Stuart Verdon**

c/o Boyar Miller  
2925 Richmond Avenue, 14th Floor  
Houston, Texas 77098  
Tel: (713) 850-7766

**d. John Shea, Director of Enterprise Solutions at R.S. Means**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**e. Roy Kemper, Chief Financial Officer at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**f. Ammon Leshner, Vice President and General Counsel at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**g. Teia Moore Kelly**

Munsch Hardt Kopf & Harr, PC  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**h. D. Mitchell McFarland**

Munsch Hardt Kopf & Harr, PC  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**i. John Kim**

The Kim Law Firm  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
Tel: (713) 522-1177

**j. Tim Rothberg**

The Kim Law Firm  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
Tel: (713) 522-1177

**k. Glenn Newman, CPA/ABV/CFF, MBA Retained Rebuttal Expert Witness**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**l. Steven A. Tasher, Esq. Retained Rebuttal Expert**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

### **3. Deposition Testimony**

Plaintiffs and Counterclaim Defendants will call the following witnesses by deposition pursuant to the Federal Rules of Civil Procedure. The following deposition transcript page/line designations are provided pursuant to Judge Ellison's Rules of Procedure:

#### **a. Deposition of Michael Brown, taken June 19, 2018**

Deposition Transcript Pages and Lines: 7:12-20; 11:2-17; 13:24-14:20; 19:19-22; 20: 20-25; 27:11-22; 30:24-32:3; 32:5-36:9; 36:10-37:5; 38:19-41:18; 43:5-44:6; 49:12-50:12; 52:12-53:13; 53:14-55:1; 58:18-60:9; 68:8-69:3; 70:1-23; 71:21-72:19; 72:21-73:23; 74:4-76:25; 77:7-21; 79:8-24; and 81:3-82:4.

#### **b. Deposition of Peter Cholakakis, taken April 12, 2018**

Deposition Transcript Pages and Lines: 4:13-14; 12:6-15:7; 20:13-20; 31:2-21; 7:-16-20; and 72:11-77:20.

#### **c. Deposition of John Shea, taken on April 13, 2018**

Deposition Transcript Pages and Lines: 7:8-11; 10:2-21; 10:22-11:3; 14:3-13; 32:16-33:7; 42:5-18; 42:25-43:15; 47:19-48:1; 48:10-17; 62:16-65:1; 65:7-15; 68:17-69:9; and 77:18-78:10.

#### **d. Deposition of Robert Mewis, taken on April 13, 2018**

Deposition Transcript Pages and Lines: 6:21-24; 10:4-11:8; 12:20-13:11; 14:16-21; 15:20-16:1; 17:24-18:1; 18:8-10; 33:2-16; 34:4-15; 34:20-35:4; 36:12-19; 47:13-22; 49:12-50:1; 51:11-13; 52:3-5; 57:3-6; 57:15-16; 65:1-14; 65:25-66:12; 67:3-15; 69:16-18; 70:8-10; 71: 9-16; 72:4-16; 74:11-16; 75:20-22; 78:13-15; 82:23-83:1; 85:6-9; 97:23-98:7; 99:12-18; 100:7-101:15; 102:12-15; 102:20-104:4; 105:8-20; 106:5-8; 106:15-107:10; 113:4-9; 113:20-114:2; and 114:23-115:4.

#### **e. Deposition of William Pollak, taken on April 18, 2018**

Deposition Transcript Pages and Lines: 4:16-5:5; 6:23-7:16; 10:17-22; 11:22-25; 14:10-15:1; 15:17-22; 23:10-24:5; 24:11-16; 24:20; 26:9-27:3; 31:12-15; 37:19-38:5; 38:8-40:6; 42:12-16; 43:18-24; 45:20-47:7; 49:21-50:6; 51:6-23; 52:5-53:4; 54:6-11; 54:15-20; 54:25-55:4; 55:10-57:1; 59:1-6; 59:14-60:18; 60:20-61:12; 61:21-25; 62:6; 66:19-25; 70:2-7; 70:10-11; 70:13-71-7; 71:16-72:13; 73:15-20; 73:23-74:2; 74:16-18; 76:3-21; 81:2-82:23; 83:5-22; 84:2-9; 84:19-86:12; 86:18-24; 87:11-23; 88:13-89:15; 90:5-20; 91:13-19; 91:23-92:3; 93:23-94:6; 94:17-95:12; 97:2-7;



99:23-102:4; 103:7-105:2; 105:8-9; 105:11; 105:15-107:25; 108:10-18; 108:25-110:16; 110:21-111:23; 112:1-17; 113:11-114:9; 115:4-116:5; 116:16-24; 117:9-18; 117:21-25; 118:4-7; 118:17-120:11; 120:16-22; 121:11-122:14; 123:21-124:20; 125:2-23; 126:3-127:6; 127:25-128:22; 129:6-12; 129:23-25; 131:24-132:1; and 132:5-8.

**f. Deposition of Roy Kemper, taken on April 19, 2018**

Deposition Transcript Pages and Lines: 5:12-17; 7:19-24; 14:10-23; 15:18-16:19; 20:13-21:4; 22:7-22; 23:2-3; 23:12-17; 23:23-24:5; 31:10-12; 31:16-19; 31:24-32:10; 32:18-33:1; 33:13-34:3; 34:11-14; 34:20-35:2; 43:9-45:14; 46:19-47:4; 48:5-14; 49:11-13; 49:19-20; 51:6-52:3; 52:13-18; 54:24-55:3; 55:9-12; 56:2-5; 56:7-8; 56:10-13; 56:15-16; 56:18-22; 59:4-5; 62:24-63:14; and 64:1-3.

**g. Deposition of Scott Smith, taken on April 19, 2018**

Deposition Transcript Pages and Lines: 6:19-24; 9:11-19; 10:3-19; 12:12-20; 20:23-21:21; 21:25-22:2; 25:3-20; 26:9-28:15; 30:22-31:11; 32:9-25; 33:7-13; 34:16-36:13; 36:22-37:11; 37:20-38:2; 38:14-39:23; 41:2-5; 42:5-18; 43:14-17; 43:25-44:7; 44:11-46:20; 53:10-54:25; 55:5-56:9; 56:16-57:3; 59:19-60:17; 60:24-61:14; 63:3-64:25; 66:6-18; 66:24-67:12; 68:20-22; 69:2-11; 70:5-72:6; 73:3-12; 74:11-75:12; 79:22-80:1; 80:5-23; 81:24-82:8; 82:25-83:8; 85:9-13; 86:24-87:20; 89:7-90:6; 90:18-91:17; 91:23-92:2; 96:23-97:21; 98:16-99:11; 99:18-24; 100:15-18; 101:4-7; 101:24-102:9; 102:17-103:17; 104:1-12; 104:18-21; 105:14-106:6; 109:7-110:15; 111:6-112:5; 116:19-117:6; 117:17-118:5; 118:10-15; 119:24-120:15; 120:23-121:4; 121:15-24; 122:18-23; 124:3-125:24; 127:23-128:2; 128:12-129:4; 129:15-130:11; 130:17-19; 134:18-21; 134:24-135:9; 135:18-23; 136:3-19; and 137:9-14.

**B. Defendants' Witness List**

Defendants and Counterclaim Plaintiffs reserve the right to call any custodian(s) of records or other similar witness(es) required for authentication of documents, records or other exhibits. Defendants and Counterclaim Plaintiffs also cross designate and reserve the right to call any witness called to testify or otherwise listed or identified by any other party to this litigation, whether expert witness, custodian of records, or otherwise.

**1. Trial Witnesses**

- a. Robert Mewis, Director of Engineering at R.S. Means**  
c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900, Houston, TX 77027

Tel: (713) 355-5005

**b. Scott Smith, Vice President of Sales at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900, Houston, TX 77027  
Tel: (713) 355-5005

**c. William Pollak, Chief Executive Officer at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**d. Glenn Newman, CPA/ABV/CFF, MBA Retained Rebuttal Expert  
Witness**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**2. Potential Trial Witnesses**

**a. John Shea, Director of Enterprise Solutions at R.S. Means**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**b. Roy Kemper, Chief Financial Officer at The Gordian Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**c. Ammon Leshner, Vice President and General Counsel at The Gordian  
Group**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**d. Steven A. Tasher, Esq. Retained Rebuttal Expert**

c/o John D.S. Gilmour, Esq.  
Kelley Drye & Warren LLP  
515 Post Oak Blvd Suite 900,  
Houston, TX 77027  
Tel: (713) 355-5005

**e. Peter Cholakis**

c/o Teia Kelly, Esq.  
Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**f. Michael Brown**

c/o Jason McNeill, Esq.  
McNeill Von Maack  
175 South Main Street, Suite 1050  
Salt Lake City, Utah 84111  
Tel: (801) 823-6465

**g. Benjamin Stack**

c/o Pete Patterson, Esq.  
Patterson, PC  
4309 Yoakum Blvd., Suite 2000  
Houston, TX 77006  
Tel: (713) 874-6444

**h. Mark Powell**

c/o Teia Kelly, Esq.  
Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-4015

**i. Rodney W. Sowards**

Veritas Advisory Group  
c/o Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-4015

**j. D. Mitchell McFarland, Esq.**

Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700

Houston, Texas 77002  
Tel: (713) 222-1470

**k. Teia Kelly, Esq.**  
Munsch Hardt Kopf & Harr, P.C.  
700 Milam, Suite 2700  
Houston, Texas 77002  
Tel: (713) 222-1470

**l. John Kim, Esq.**  
The Kim Law Firm  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
Tel: (713) 522-1177

**m. Tim Rothberg, Esq.**  
The Kim Law Firm  
4309 Yoakum Blvd., Suite 2000  
Houston, Texas 77006  
Tel: (713) 522-1177

### **3. Deposition Testimony**

Defendants will call the following witnesses by deposition pursuant to the Federal Rules of Civil Procedure. The following deposition transcript page/line designations are provided pursuant to Judge Ellison's Rules of Procedure:

**a. Deposition of Michael Brown, taken June 19, 2018:**

Deposition Transcript Pages and Lines: 36:10-21; 63:12 to 65:12; 68:8 to 69:3; and 86:13 to 89:23.

**b. Deposition of Peter Cholakakis, taken April 12, 2018:**

10:2 to 11:4; 23:3 to 25:9; 28:9-13; 30:2 to 33:2; 43:15-18; 53:22 to 55:11; 63:4 to 66:14; 68:17-69:1; 72:11 to 74:9; 74:14-17; 75:13-22; 83:13 to 86:20; 90:22-91:9; 104:14-19; 104:23 to 105:13; 105:22 to 106:7; 108:13-24; 115:12-17; 116:5 to 117:8.

### **C. Objections to Witness Deposition Page Lines**

The Parties have agreed to provide objections to specific page lines deposition excerpts listed herein above in Sections A.3 and B.3, together with their trial exhibit objections on or before Wednesday January 9, 2018.

## **VII. SETTLEMENT**

The Parties agree at this point that this case cannot be settled and that it will have to be tried to resolve all issues between the Parties.

## **VIII. TRIAL**

### **A. Probable Length of Trial**

The parties anticipate the first part of the bifurcated jury trial will take approximately 5 days, and the second portion will take approximately 1- 2 days. The parties have agreed to submit the issue of attorney fees, if any, to the judge post-trial to reduce the time needed for trial.

### **B. Logistical problems, including availability of witnesses, out-of-state people, bulky exhibits, and demonstrations.**

The parties do not anticipate any logistical problems, however there are bulky exhibits at issue in this matter.

## **IX. JURY CHARGE**

Agreed proposed jury charge, including instructions, definitions, and special interrogatories, with authority and any objections thereto is attached as Exhibit C.

## **X. EXHIBITS**

Exhibit A:	Plaintiffs and Counterclaim Defendants' Exhibit List
Exhibit B:	Defendants and Counterclaim Plaintiffs' Exhibit List
Exhibit C:	Agreed proposed jury charge, including instructions, definitions, and special interrogatories, with authority and any objections thereto.

APPROVED:

Date: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

Approved:

Date: 01/07/2019

/s/ Teia Moore Kelly

Attorney-in-Charge, Plaintiffs/Counterclaim  
Defendants, Construction Costs Data, LLC,  
Managed JOC Solutions, LLC, and The Job  
Order Contract Group, LLC and  
Counterclaim Defendant, Mark Powell

Date: 01/07/2019

/s/ Jeffery A. Cohen

Attorney-in-Charge,  
Defendants/Counterclaim Plaintiffs, The  
Gordian Group, Inc. and R.S. Means  
Company, LLC

Date: 01/07/2019

/s/ Pete T. Patterson

Attorney-in-Charge, Counterclaim  
Defendant, Benjamin Stack